

 <p>BROCKTON POLICE</p>	<p align="center">BROCKTON POLICE DEPARTMENT Policy and Procedure</p> <p align="center">Electronic Control Weapon-Taser</p>	
<p>Date of Issue: 04/17/13</p> <p>Review Date: 04/17/13</p> <p>Revised: 04/17/13</p>	<p>Issuing Authority:</p> <p>Chief Emanuel Gomes</p>	
<p>Certification Standards: 1.3.4 1.3.5 1.3.6 1.3.7 1.3.9 1.3.10 1.3.11 1.3.12</p> <p>Accreditation Standards:</p> <p>Optional Accreditation Standards:</p>		

Considerations Electronic Control Weapon (ECW's), also referred to as Conducted Energy Weapons, are tools available to law enforcement personnel to use in less than lethal force situations. ECW's utilize conducted electronic energy to affect the sensory and motor nervous systems to yield pain compliance and incapacitation.

Policy
1.3.4 It is the policy of the Brockton Police Department to use only that level of force reasonably necessary to control or otherwise subdue violent or potentially violent individuals. Electronic Control Weapons have been proven effective in furtherance of this policy, and are authorized for use in appropriate circumstances by trained and authorized personnel in accordance with Taser International Inc. and with Municipal Police Training Council training standards. [1.3.4]

Issuance
ECW-Taser
1.3.9
1.3.10 Only sworn officers, who have been designated by the Chief of Police and who are properly trained, certified, and meet proficiency standards, shall be authorized to carry or use the ECW's.
[1.3.9][1.3.10] This by authority granted to him under MGL c.41 s. 98 and the duties and responsibility authorized by Mayor of the City Of Brockton.

Training and Certification
1.3.11
1.3.12 The Brockton Police Department adopts the lesson plans set forth by Taser International Inc. regarding ECW instruction. Officers shall receive initial and annual training that meets or exceeds the approved training standards Taser International Inc. In the event that Taser International releases a new training module, all officers shall receive

the updated training prior to the continued deployment of the Taser[1.3.11]. Training must include the ECW as a less lethal weapon option. Review policy **Use of Force**. [1.3.12]

Instructors must complete mandated instructor certification training as required by Taser International Inc. and must be certified by the MPTC.

Basic Taser users shall be trained using a curriculum identical to the MPTC training curriculum.

If any Officer fails to attend and complete the annual training as mandated, their certification and authorization to carry and use the Taser shall end. No Officer shall carry, use or deploy a Taser unless their certification and training is up to date and they have received authorization from the Chief of Police.

Spark Test

A spark test should be conducted prior to the start of shift in the designated area. Officers should activate the weapon and depress the Arc Switch until they hear an arc. If Taser fails to arc it shall be immediately removed from service and turned into the Taser Control Manager for repair or replacement

Spark Test Procedure

- Taser is removed from holster and pointed in a safe direction.
- Safety switch is turned off activating the flashlight and/or red laser light.
- Arc Switch is then depressed until the arc is heard.
- Safety switch turned on and returned to holster.

Carrying ECW Taser

The device will be carried by authorized officers in an approved holster on the support/weak side (opposite of the firearm side) of the body. The device shall be carried fully armed (two SMART cartridges loaded in ECW for Taser X2) with the safety on in preparation for immediate use when authorized. Cartridges shall be replaced in accordance with manufactures expiration requirements. Only battery power sources recommended by the manufacturer shall be used in the ECW.

The ECW shall be pointed at the ground in a safe direction with the safety on during loading, unloading, or when handled in other than an operational deployment.

Levels of
Deployment
Modes

Laser Activation - The weapon is turned on, activating the laser beam. (Use of Force model level 2 warning deterrent)

Spark Activation - The weapon is activated and the Arc Switch (forward of the trigger housing) is depressed, activating the electrical arc. (Use of Force model level 3 warning deterrent)

Drive Stun - There is direct contact of the ECW against the suspect's body. This can be done with the cartridge in place by using the Arc Switch. A Drive Stun is a pain-compliance technique and may be used on the "Actively Resisting" suspect. It is comparable to the use of OC in the use of force model. In this mode it does not act as an electro-muscular disruptor. (Use of Force model level 3)

Full Deployment - The deployment of the probes from the cartridge by squeezing the trigger, and the probes "hit" the suspect. A Full Deployment is an impact technique and may be used on the suspect whom the officer perceives as "assaultive, bodily harm". The Full Deployment is comparable to the use of the baton in the use of force model. (Use of Force model level 4)

"Assaultive, bodily harm" includes a subject perceived as preparing to assault, currently assaulting, or has assaulted an officer or another person. (See Use of Force Policy)

Lethal Deployment – Intentionally firing the device at the head or neck is a deadly force countermeasure in response to a lethal threat. ECW's are not a substitute for lethal force. Officers are not expected to respond to a lethal force threat with an ECW. ECW's should only be used in a response to a lethal force threat under exigent circumstances. (Use of Force model level 5)

Deployment
Of ECW

An electronic control weapon is considered deployed any time it is removed from the holster, the safety is turned off and:

- A drive stun is delivered.
- The trigger is squeezed and a full probe deployment occurs.
- Any accidental deployment(not including inspecting and testing)

If feasible and safe, the deploying officer shall issue a verbal warning such as "TASER, TASER, TASER," prior to full deployment. The officer will then use the ECW in a manner consistent with his/her training until the subject is subdued and/or secured. It is recommended that an ECW deployment on an individual not exceed

15 seconds (3 cycles).

Officers must be cognizant of the fact that an energized subject may not be able to comply with commands during the electronic discharge phase or immediately thereafter.

The preferred target areas include the back, lower abdomen and thighs. Officers shall not aim at the head or neck unless the encounter justifies a lethal force response.

Officers shall properly safeguard issued electronic weapons as they would a firearm to ensure unauthorized access is avoided.

Prohibited Use
and
Susceptible
Populations

Officers shall not use an Electronic Control Weapon-Taser:

- In a punitive manner.
- In an environment where potentially flammable, volatile or explosive material is present.
- In an environment where the subject's incapacitation could reasonably result in death or serious injury to the subject or others.
- Intentionally aim the laser light at a person's eyes.
- Persons who are handcuffed, unless there are extenuating circumstances.

Officers should be aware of the greater potential for injury when using an ECW against certain individuals. Taser's should not be used against the following groups unless they pose an imminent threat of serious bodily harm to themselves or others:

- Small children
- The elderly
- Women believed to be pregnant
- Persons known to be equipped with a pacemaker

Deployment of
an ECW on
Aggressive
Animals

Tasers can be used as an effective tool to protect from harm or potential harm, an officer, person(s), and defenseless animals, against aggressive animals. The type of deployment will depend of the nature and circumstances of the event. Officers will properly document any deployment per policy.

Medical
Evaluation
1.3.5

Persons shall be transported to the hospital by contract ambulance for medical evaluation if exposed to:[1.3.5]

- Three or more ECW cycles
- A continuous burst of 15 seconds or more
- More than one Taser device during the same incident

-If it is discovered that the barb portion of the probe has broken free and remains under the skin.

Due to the potential for medical problems, including, but not limited to excited delirium, post deployment monitoring is critical. The Shift Commander or designee shall notify contract ambulance for hospital transport if the subject exhibits:[1.3.5]

- Disorientation,
- Hallucinations / delusions
- Intense paranoia
- Violent or bizarre behavior
- Elevated body temperature, and/or diminished sensitivity to pain.

Probe
Removal
1.3.5

Probes may be removed from the subject after the subject is restrained and secured. Officers need not place themselves at undue risk of blood exposure or injury (skin puncture from exposed probes) while removing probes from uncooperative subject. Probes shall be removed in accordance with training, considered biohazards (universal precautions), and placed in an appropriate container upon removal. When safe to do so. [1.3.5]

Officers will not remove probes from the head, groin, neck or female breast. Also, officers will not attempt removal of probes that are deeply imbedded, or from persons who are combative or where it appears that the tip of the barbed probe broke off and remains under the skin.[1.3.5] contract ambulance shall respond and transport the subject to the hospital for probe removal.

Officer
Reporting
1.3.6

- The deploying Officer shall:[1.3.6]
- Notify his/her supervisor as soon as practicable after using the device
 - Submit the ECW to the Taser Control Manager as soon as practicable for data download
 - Complete the appropriate incident report and use of force reports.[1.3.6]
 - Document if the arrest was compliant with or without probe deployment (i.e. spark activation at scene and suspect voluntarily complies with arrest)
 - Document areas of the body hit by probes/drive stun and any related injuries (if any)

A copy of the use of force report involving the use of an ECW shall be forwarded to the Chief.

Evidence Collection	<p>The probes and air cartridges shall be collected and submitted as evidence.</p> <p>This will all be packaged in accordance with the guidelines set forth by the Evidence Control Officer.</p> <p>The taser and the use of force and arrest/incident report shall be submitted to the TCM as soon a practicable to be downloaded.</p>
Supervisor Duties 1.3.7	<p>The Shift Supervisor/Shift Commander will assure that:</p> <ul style="list-style-type: none"> -The subject has received the appropriate level of medical attention; -The device parts are properly collected and secured -Review and ensure that all reports are completed before the officers are discharged. - If a subject sustains serious bodily injuries or death as a result of the use of the ECW, the Chief of Police and the District Commanders shall be contacted immediately. The Chief or District Commander shall make the decisions to contact the District Attorney's Office and or CPAC for assistance.
Administrative Responsibility 1.3.7 1.3.9 1.3.13	<p>The Chief of Police shall designate a Taser Control Manager who shall provide the following services:</p> <p>Ensure basic certification, annual training and re-certification training on the Taser is provided as needed, as well as maintaining a record of the training. Receive, inspect, and audit weapons and account for their issuance to sworn personnel. Additionally, oversee the maintenance of the department's Taser devices and related equipment.[1.3.9]</p> <p>The Taser Control Manager will comply with all the reporting requirements as set forth in MGL 140 s 131j.</p> <p>Conduct an administrative review of each report of the discharge of an electronic control weapon. This will be done by the Chief, Executive Officer or other supervisor, not involved in the incident, as directed by the Chief. Consistent with all use of force reports, the department will conduct an annual analysis of reported uses of electronic control weapons. [1.3.7] Where indicated, training needs, equipment upgrades, and/or policy modification will be considered.[1.3.13]</p>

The Brockton Police Department will comply with all requirements set forth by the Executive Office of Public Safety and Security (EOPSS), the MPTC, and Taser International Inc.

Appendix A

Executive Office of Public Safety and Security Electronic Control Weapons (ECWs) Use Quarterly Report

Agency Name:

Individual Completing Report:

Date Completed:

Phone Number:

Reporting Quarter	Reporting Period	Report Due Date
____ 1 st Quarter	January 1 st – March 31 st , 2012	April 15 th , 2012
____ 2 nd Quarter	April 1 st – June 30 th , 2012	July 15 th , 2012
____ 3 rd Quarter	July 1 st – September 30 th , 2012	October 15 th , 2012
____ 4 th Quarter	October 1 st – December 31 st , 2012	January 15 th , 2013

Please provide information that reflects use of electronic control weapons (ECWs) *during this quarter only*.

Police departments that have issued ECWs to their officers must submit a quarterly report *even if ECWs were not used or were not issued* during the quarter. In this case, indicate that the ECW were used in zero incidents.

If you have any questions about this report, please contact James Stark at 617-725-3354 or james.stark@state.ma.us.

Part I. Agency Level Information

1. How many sworn officers were in your department at the end of this quarter?	
2. How many officers have completed the approved training program for ECWs?	
3. How many ECWs does your department own?	
4. In how many <i>incidents</i> was an ECW involved during this quarter? (An incident is an event in which the officer issued a warning or displayed or deployed an ECW.)	

Electronic Control Weapons (ECWs) Use Quarterly Report

Part II. Incident Level Information

A: INSTRUCTIONS:

Please complete one row for each officer involved in an incident in which an ECW was involved and the officer issued a warning or displayed or deployed an ECW. If more than one officer is involved in the same incident, use the same incident number for all officers in that incident. The number of incidents containing information should equal the total incidents reported in question #4 on page 2. Additional rows can be added to the table if necessary.

Please provide information that reflects use of electronic control weapons (ECWs) *during this quarter only* (not including usage during trainings, testing, or usage on animals).

- Warning Type – More than one response may be entered. Please indicate all that apply:

N/A = not applicable (no warning given)

V = verbal warning used

L = laser function used

S = spark function used

- For Deployment Type – Please indicate the number of each deployment type in ALL applicable columns:

STUN DEPLOYMENT = number of times drive stun function used

PROBE DEPLOYMENT = number of times probe function used and includes follow-up drive stun when a single probe is still attached

- Subject Submitted: Indicate whether each warning, probe, or stun resulted in the submission or cooperation of the subject. If subject did not submit (e.g., through flight or continued resistance), please answer “no”. If a subject submitted for reasons *other than* ECW use, such as hands-on techniques, pepper spray, or baton use, enter “no” in “Subject Submitted” columns.

- Race/Ethnicity – Please indicate the racial/ethnic composition of the targets of all ECW drive stuns or probes.

A = Asian or Pacific Islander

B = Black

H = Hispanic

I = Native American, American Indian, or Alaskan Native

M = Middle Eastern or East Indian

W = White

Executive Office of Public Safety and Security
Electronic Control Weapons (ECWs) Use Quarterly Report

B: EXAMPLES OF INCIDENT LEVEL INFORMATION:

Incident Number	Weapon Serial Number	Date of Incident	Warning Type	Did Subject Submit? Y/N	# of Probe Deploy-ments	Subject Submitted? Y/N	# of Stun Deploy-ments	Did Subject Submit? Y/N	Target's Gender	Target's Race / Ethnicity
1	A12345	1/1/12	S	No	0	n/a	2	Yes	M	W
1	C23456	1/1/12	n/a	n/a	1	Yes	0	n/a	M	W
2	11234DE	2/1/12	V	No	0	n/a	1	No	F	B
3	B23456	3/1/12	V, L, S	No	1	No	3	No	M	A
4	W78514	3/15/12	V	Yes	0	n/a	0	n/a	M	H
5	X225844	3/31/12	n/a	n/a	1	Yes	1	No	M	I

C: CURRENT INCIDENT LEVEL INFORMATION*

Incident Number	Weapon Serial Number	Date of Incident	Warning Type	Did Subject Submit? Y/N	# of Probe Deploy-ments	Subject Submitted? Y/N	# of Stun Deploy-ments	Did Subject Submit? Y/N	Target's Gender	Target's Race / Ethnicity
1										

**If necessary, please add rows by cutting and pasting additional cells*

Part III. Additional Information

If there is any other information you would like to report, including details regarding a specific incident or incidents, please use this space to do so.